PROOF

STATE OF IOWA

House Journal

WEDNESDAY, APRIL 27, 2016

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JOURNAL OF THE HOUSE

One Hundred-eighth Calendar Day - Seventieth Session Day

Hall of the House of Representatives Des Moines, Iowa, Wednesday, April 27, 2016

The House met pursuant to adjournment at 8:35 a.m., Speaker Upmeyer in the chair.

Prayer was offered by Representative Koester of Polk.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Alex Byrnes, Speaker's Page from Osage.

The Journal of Tuesday, April 26, 2016, was approved.

HOUSE INSISTS

Rizer of Linn called up for consideration <u>House File 2459</u>, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions and moved that the House insist on its amendment, which motion prevailed.

On motion by Fry of Clarke, the House was recessed at 8:42 a.m., until 10:00 a.m.

MORNING SESSION

The House reconvened at 10:11 a.m., Speaker Upmeyer in the chair.

CONFERENCE COMMITTEE APPOINTED (House File 2459)

The Speaker announced the appointment of the conference committee to consider the differences between the House and Senate concerning **House File 2459**: Grassley of Butler, Chair; Hagenow of Polk, Speaker Upmeyer, Hall of Woodbury and Oldson of Polk.

IMMEDIATE MESSAGE

Hagenow of Polk asked and received unanimous consent that **House File 2459** be immediately messaged to the Senate.

The House stood at ease at 10:13 a.m., until the fall of the gavel.

The House resumed session at 1:36 p.m., Speaker Upmeyer in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2016, passed the following bill in which the concurrence of the Senate was asked:

<u>House File 2436</u>, a bill for an act relating to real estate appraisal, including by requiring the superintendent of banking to regulate appraisal management companies and supervise the Iowa real estate appraiser board, making penalties applicable, and including effective date provisions.

Also: That the Senate has on April 27, 2016, appointed the Conference Committee to House File 2459, a bill for an act relating to state and local finances by making appropriations, providing for legal responsibilities, providing for other properly related matters, and including effective date provisions, and the members of the Conference Committee on the part of the Senate are: The Senator from Johnson, Senator Dvorsky; The Senator from Pottawattamie, Senator Gronstal; The Senator from Dubuque, Senator Jochum; The Senator from Butler, Senator Dix; The Senator from Polk, Senator Whitver.

Also: That the Senate has on April 27, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

<u>Senate File 2308</u>, a bill for an act relating to economic development by establishing an enhance Iowa board to assume the powers and duties of the vision Iowa board and additional powers and duties, establishing an enhance Iowa fund, establishing a sports tourism program and fund, and including transition provisions.

Also: That the Senate has on April 27, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

<u>Senate File 2323</u>, a bill for an act relating to the funding of, the operation of, and appropriation of moneys to the college student aid commission, the department for the blind, the department of education, and the state board of regents, providing for related matters, and including effective and applicability date provisions.

MICHAEL E. MARSHALL, Secretary

INTRODUCTION OF BILL

House File 2468, by committee on Ways and Means, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions.

Read first time and placed on the Ways and Means calendar.

The House stood at ease at 1:58 p.m., until the fall of the gavel.

The House resumed session at 2:50 p.m., Speaker Upmeyer in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2016, passed the following bill in which the concurrence of the Senate was asked:

House File 2464, a bill for an act relating to environmental protection by modifying and eliminating allocations from the statutory allocations fund to the Iowa comprehensive petroleum underground storage tank fund and the renewable fuel infrastructure fund, making related changes, including changes related to the repeal of the environmental protection charge on petroleum diminution, and including effective date provisions.

Also: That the Senate has on April 27, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

<u>Senate File 2187</u>, a bill for an act relating to the issuance of driver's licenses marked to reflect veteran status and providing for the acceptance of a disability certification from the United State department of veterans affairs for a person with disability parking permit.

Also: That the Senate has on April 27, 2016, concurred in the House amendment and passed the following bill in which the concurrence of the Senate was asked:

<u>Senate File 2188</u>, a bill for an act relating to prescription authority for certain psychologists and making penalties applicable.

Also: That the Senate has on April 27, 2016, adopted the Conference Committee report and passed Senate File 2324, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions.

MICHAEL E. MARSHALL, Secretary

RULE 60

Kressig of Black Hawk moved to invoke Rule 60, to immediately withdraw <u>Senate File 484</u> from committee on Public Safety and place it on the calendar.

Roll call was requested by Kressig of Black Hawk and Hunter of Polk.

On the question "Shall <u>Senate File 484</u> be withdrawn from committee on Public Safety and placed on the calendar?"

The ayes were, 44:

Abdul-Samad	Anderson	Bearinger	Bennett
Brown-Powers	Cohoon	Cownie	Dawson
Dunkel	Finkenauer	Forbes	Gaines
Gaskill	Hall	Hanson	Heddens
Hunter	Isenhart	Jacoby	Kearns
Kelley	Kressig	Lensing	Lykam
Mascher	McConkey	Meyer	Miller, H.
Oldson	Olson	Ourth	Prichard
Ruff	Running-Marquardt	Smith	Staed
Stanerson	Steckman	Stutsman	Taylor, T.
Thede	Wessel-Kroeschell	Winckler	Wolfe

The nays were, 54:

Best Branhagen Byrnes Carlson Deyoe Dolecheck Fisher Forristal Fry Gassman Grassley Gustafso Hagenow Hanusa Heartsill Heaton	
Fry Gassman Grassley Gustafso	
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Hagenow Hanusa Heartsill Heaton	n
Hein Highfill Holt Holz	
Huseman Jones Jorgensen Kaufman	ın
Klein Koester Kooiker Landon	
Maxwell Mommsen Moore, B. Moore, T	١.
Nunn Paulsen Paustian Pettengi	11

Rizer Rogers Salmon Sands
Sexton Sheets Sieck Taylor, R.
Vander Linden Watts Wills Windschitl

Worthan Speaker Upmeyer

Absent or not voting, 2:

Berry Miller, L.

The motion lost.

CONFERENCE COMMITTEE REPORT RECEIVED (Senate File 2324)

A conference committee report signed by the following Senate and House members was filed April 27, 2016, on <u>Senate File 2324</u>, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provision:

ON THE PART OF THE HOUSE: ON THE PART OF THE SENATE:

DAN HUSEMAN, CHAIR DENNIS COHOON STEVE HOLT JIM LYKAM GUY VANDER LINDEN MATT McCOY, CHAIR TOD R. BOWMAN JANET PETERSEN

CONFERENCE COMMITTEE REPORT CONSIDERED (Senate File 2324)

Huseman of Cherokee called up for consideration the report of the conference committee on <u>Senate File 2324</u>, a bill for an act relating to and making appropriations to state departments and agencies from the rebuild Iowa infrastructure fund, the state bond repayment fund, the technology reinvestment fund, and the prison bonding fund, providing for related matters, and including effective date and retroactive applicability provisions, and moved the adoption of the conference committee report and the amendments contained therein.

The motion prevailed and the conference committee report was adopted.

Huseman of Cherokee moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2324)

The ayes were, 85:

Abdul-Samad Baltimore Anderson Bacon Baudler Baxter Bearinger Bennett Best Branhagen **Brown-Powers** Byrnes CohoonCarlson Cownie Dawson Deyoe Dolecheck Fisher Forbes Forristall Fry Gaskill Gassman Grassley Gustafson Hagenow Hall Hanson Hanusa Heartsill Heaton Heddens Highfill Holt Hein Jorgensen Holz Huseman Jones Kaufmann Kearns Klein Koester KooikerLykam Kressig Landon Maxwell McConkey Meyer Miller, H. Moore, T. Mommsen Moore, B. Nunn Paulsen Oldson Olson Ourth Paustian Pettengill Prichard Rizer Rogers Salmon Sands Sexton Sheets Sieck Smith Staed Stanerson Steckman Stutsman Taylor, R. Vander Linden Thede Watts Wessel-Kroeschell Wills Windschitl Wolfe Worthan Speaker Upmeyer

The nays were, 13:

DunkelFinkenauerGainesHunterIsenhartJacobyKelleyLensingMascherRuffRunning-MarquardtTaylor, T.Winckler

Absent or not voting, 2:

Berry Miller, L.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Windschitl of Harrison in the chair at 3:02 p.m.

SENATE AMENDMENT CONSIDERED House Concurred

Rizer of Linn called up for consideration <u>House File 2064</u>, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties, amended by the Senate amendment <u>H-8196</u>.

Baltimore of Boone offered amendment $\underline{H-8301}$, to the Senate amendment $\underline{H-8196}$, filed by him from the floor.

Rizer of Linn offered amendment $\underline{\text{H-}8304}$, to amendment $\underline{\text{H-}8301}$, to the Senate amendment $\underline{\text{H-}8196}$, filed by him from the floor and moved its adoption.

Amendment <u>H-8304</u>, to amendment <u>H-8301</u>, to the Senate amendment H-8196, was adopted.

Rizer of Linn moved the adoption of amendment $\underline{H-8301}$, as amended, to the Senate amendment H-8196.

Amendment $\underline{H-8301}$, as amended, to the Senate amendment $\underline{H-8196}$, was adopted.

Rizer of Linn moved that the House concur in the Senate amendment $\underline{H-8196}$, as amended.

The motion prevailed and the House concurred in the Senate amendment H-8196, as amended.

Rizer of Linn moved that the bill, as amended by the Senate, further amended and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2064)

The ayes were, 98:

Abdul-Samad Baltimore Anderson Bacon Baudler Baxter Bearinger Bennett Best Branhagen Brown-Powers Byrnes Carlson Cohoon Cownie Dawson

Dolecheck Dunkel Deyoe Finkenauer Fisher Forbes Forristall Fry Gaskill Gaines Gassman Grassley Hagenow Hanson Gustafson Hall Hanusa Heartsill Heaton Heddens Highfill Holt Holz Hein Isenhart Jacoby Hunter Huseman Jones Jorgensen Kaufmann Kearns Kelley Kooiker Klein Koester Kressig Landon Lensing Lykam Mascher Maxwell McConkey Meyer Miller, H. Mommsen Moore, B. Moore, T. Nunn Oldson Olson Ourth Paulsen Pettengill Prichard Paustian Rizer Rogers Ruff Running-Marquardt Salmon Sands Sexton Sheets Stanerson Sieck Smith Staed Steckman Stutsman Taylor, R. Taylor, T. Thede Upmeyer, Spkr. Vander Linden Watts Wessel-Kroeschell Winckler Wolfe Wills Worthan Windschitl, Presiding

The nays were, none.

Absent or not voting, 2:

Berry Miller, L.

The bill having received a constitutional majority was declared to have passed the House and the title, as amended, was agreed to.

Hagenow of Polk asked and received unanimous consent for the immediate consideration of Senate File 2326.

CONSIDERATION OF BILL Appropriations Calendar

<u>Senate File 2326</u>, a bill for an act relating to the funding of the statewide interoperable communications system and the expenditure of moneys from the E911 emergency communications fund, with report of committee recommending passage, was taken up for consideration.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time. On the question "Shall the bill pass?" (S.F. 2326)

The ayes were, 98:

Abdul-Samad Baltimore Anderson Bacon Baudler Baxter Bearinger Bennett Best Branhagen Brown-Powers Byrnes CarlsonCohoon Cownie Dawson Dunkel Finkenauer Deyoe Dolecheck Fisher Forbes Forristall Fry Gaines Gaskill Gassman Grassley Hall Gustafson Hagenow Hanson Hanusa Heartsill Heaton Heddens Hein Highfill Holt Holz Hunter Huseman Isenhart Jacoby Jones Jorgensen Kaufmann Kearns Kelley Klein Koester Kooiker Kressig Landon Lensing Lykam Mascher McConkey Meyer Maxwell Miller, H. Mommsen Moore, B. Moore, T. Nunn Oldson Olson Ourth Paulsen Paustian Pettengill Prichard Rizer Rogers Ruff Running-Marquardt Salmon Sands Sexton Sheets Stanerson Smith Staed Sieck Steckman Taylor, R. Taylor, T. Stutsman Upmeyer, Spkr. Thede Vander Linden Watts Wessel-Kroeschell Wills Winckler Wolfe Worthan Windschitl, Presiding

The nays were, none.

Absent or not voting, 2:

Berry

Miller, L.

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

IMMEDIATE MESSAGES

Hagenow of Polk asked and received unanimous consent that the following bills be immediately messaged to the Senate: House File 2064 and Senate Files 2324 and 2326.

The House stood at ease at 3:13 p.m., until the fall of the gavel.

The House resumed session at 5:33 p.m., Paulsen of Linn in the chair.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Madam Speaker: I am directed to inform your honorable body that the Senate has on April 27, 2016, concurred in the House amendment to the Senate amendment and passed the following bill in which the concurrence of the Senate was asked:

<u>House File 2064</u>, a bill for an act relating to the criminal offense of child endangerment resulting in the death of a child or minor, and providing penalties.

Also: That the Senate has on April 27, 2016, amended and passed the following bill in which the concurrence of the House is asked:

<u>House File 2421</u>, a bill for an act relating to coaching authorizations issued by the board of educational examiners and to certain emergency medical procedures training requirements, and including applicability provisions.

MICHAEL E. MARSHALL, Secretary

Speaker Upmeyer asked and received unanimous consent for the immediate consideration of House File 2468.

CONSIDERATION OF BILLS Ways and Means Calendar

House File 2468, a bill for an act relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, the solar energy system tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, requiring background checks for job applicants and persons performing work for the department of revenue, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions, was taken up for consideration.

Windschitl of Harrison offered amendment $\underline{H-8303}$ filed by him from the floor.

Windschitl of Harrison offered amendment $\underline{\text{H-8305}}$, to amendment $\underline{\text{H-8303}}$, filed by him from the floor and moved its adoption.

Amendment <u>H-8305</u>, to amendment <u>H-8303</u>, was adopted.

Windschitl of Harrison moved the adoption of amendment <u>H-8303</u>, as amended.

Amendment H-8303, as amended, was adopted.

Windschitl of Harrison moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 2468)

The ayes were, 98:

Abdul-Samad	Anderson	Bacon	Baltimore
Baudler	Baxter	Bearinger	Bennett
Best	Branhagen	Brown-Powers	Byrnes
Carlson	Cohoon	Cownie	Dawson
Deyoe	Dolecheck	Dunkel	Finkenauer
Fisher	Forbes	Forristall	Fry
Gaines	Gaskill	Gassman	Grassley
Gustafson	Hagenow	Hall	Hanson
Hanusa	Heartsill	Heaton	Heddens
Hein	Highfill	Holt	Holz
Hunter	Huseman	Isenhart	Jacoby
Jones	Jorgensen	Kaufmann	Kearns
Kelley	Klein	Koester	Kooiker
Kressig	Landon	Lensing	Lykam
Mascher	Maxwell	McConkey	Meyer
Miller, H.	Miller, L.	Mommsen	Moore, B.
Moore, T.	Nunn	Oldson	Olson
Ourth	Paustian	Pettengill	Prichard
Rizer	Rogers	Ruff	Running-Marquardt
Salmon	Sands	Sexton	Sheets
Sieck	Smith	Staed	Stanerson
Steckman	Stutsman	Taylor, R.	Taylor, T.
Thede	Upmeyer, Spkr.	Vander Linden	Wessel-Kroeschell
Wills	Winckler	Windschitl	Wolfe
Worthan	Paulsen,		
	Presiding		

The nays were, none.

Absent or not voting, 2:

Berry Watts

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Speaker Upmeyer asked and received unanimous consent for the immediate consideration of <u>Senate File 2316</u>.

Appropriations Calendar

Senate File 2316, a bill for an act relating to the collection of delinquent court debt and associated installment agreements, with report of committee recommending passage, was taken up for consideration.

Baltimore of Boone asked and received unanimous consent to withdraw amendment <u>H-8299</u> filed by him on April 26, 2016.

Worthan of Buena Vista moved that the bill be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (S.F. 2316)

The ayes were, 95:

Abdul-Samad	Anderson	Bacon	Baudler
Baxter	Bearinger	Bennett	Best
Branhagen	Brown-Powers	Byrnes	Carlson
Cohoon	Cownie	Dawson	Deyoe
Dolecheck	Dunkel	Finkenauer	Fisher
Forbes	Forristall	Fry	Gaines
Gaskill	Gassman	Grassley	Hagenow
Hall	Hanson	Hanusa	Heartsill
Heaton	Heddens	Hein	Highfill
Holt	Holz	Hunter	Huseman
Isenhart	Jacoby	Jorgensen	Kaufmann
Kearns	Kelley	Klein	Koester
Kooiker	Kressig	Landon	Lensing
Lykam	Mascher	Maxwell	McConkey
Meyer	Miller, H.	Miller, L.	Mommsen
Moore, B.	Moore, T.	Nunn	Oldson
Olson	Ourth	Paustian	Pettengill
Prichard	Rizer	Rogers	Ruff

Running-Marquardt Salmon Sands Sexton Sheets Sieck Smith Staed Taylor, R. Stanerson Steckman Stutsman Taylor, T. Thede Vander Linden Upmeyer, Spkr. Wessel-Kroeschell Wills Winckler Windschitl Worthan Wolfe Paulsen.

The nays were, 3:

Baltimore Gustafson Jones

Absent or not voting, 2:

Berry Watts

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

Presiding

SENATE AMENDMENT CONSIDERED House Concurred

Nunn of Polk called up for consideration <u>House File 493</u>, a bill for an act relating to the right of residents, owners, tenants, and landlords to summon emergency assistance and preempting related local ordinances, rules, and regulations, amended by the Senate, and moved that the House concur in the Senate amendment <u>H-8170</u>.

The motion prevailed and the House concurred in the Senate amendment H-8170.

Nunn of Polk moved that the bill, as amended by the Senate and concurred in by the House, be read a last time now and placed upon its passage which motion prevailed and the bill was read a last time.

On the question "Shall the bill pass?" (H.F. 493)

The ayes were, 98:

Abdul-Samad Baltimore Anderson Bacon Baudler Baxter Bearinger Bennett Best Branhagen Brown-Powers Byrnes Carlson Cohoon Cownie Dawson Devoe Dolecheck Dunkel Finkenauer Fisher $\quad \quad Forbes \quad \quad$ Forristall Fry Gaskill Grassley Gaines Gassman Gustafson Hagenow Hall Hanson

Heddens Hanusa Heartsill Heaton Hein Highfill Holt HolzJacoby Hunter Huseman Isenhart Kaufmann Jones Jorgensen Kearns Kelley Klein Koester Kooiker Landon Lykam Kressig Lensing Mascher Maxwell McConkey Meyer Moore, B. Miller, H. Miller, L. Mommsen Moore, T. Olson Nunn Oldson Ourth Paustian Pettengill Prichard Rogers Rizer Ruff Running-Marquardt Salmon Sands Sexton Sheets Sieck Smith Staed Stanerson Steckman Taylor, R. Taylor, T. Stutsman Vander Linden Wessel-Kroeschell Thede Upmeyer, Spkr. Wills Winckler Windschitl Wolfe Worthan Paulsen, Presiding

The nays were, none.

Absent or not voting, 2:

Berry Watts

The bill having received a constitutional majority was declared to have passed the House and the title was agreed to.

LEAVE OF ABSENCE

Leave of absence was granted during voting as follows:

Berry of Black Hawk

IMMEDIATE MESSAGES

Speaker Upmeyer asked and received unanimous consent that the following bills be immediately messaged to the Senate: **House Files 493**, **2468** and **Senate File 2316**.

BILL ENROLLED, SIGNED AND SENT TO GOVERNOR

The Chief Clerk of the House submitted the following report:

Madam Speaker: The Chief Clerk of the House respectfully reports that the following bill has been examined and found correctly enrolled, signed by the Speaker of

the House and the President of the Senate, and presented to the Governor for his approval on this 27th day of April, 2016: House File 2439.

CARMINE BOAL Chief Clerk of the House

COMMITTEE RECOMMENDATION

MADAM SPEAKER: The Chief Clerk of the House respectfully reports that the following committee recommendation has been received and is on file in the office of the Chief Clerk:

CARMINE BOAL Chief Clerk of the House

COMMITTEE ON WAYS AND MEANS

Committee Bill (Formerly House Study Bill 658), relating to the administration of the tax and related laws by the department of revenue, including the renewable energy tax credit, appeal procedures for certain centrally assessed property, an extension of the utility replacement tax task force, a sales and use tax exemption for certain items used in performance of a construction contract with designated exempt entities, and including effective date and retroactive and other applicability provisions.

Fiscal Note: No

Recommendation: Amend and Do Pass April 27, 2016.

AMENDMENTS FILED

<u>H-8300</u>	S.F.	484	Forbes of Polk
			Kressig of Black Hawk
<u>H-8301</u>	H.F.	2064	Baltimore of Boone
<u>H-8302</u>	S.F.	484	Forbes of Polk
			Kressig of Black Hawk
<u>H-8303</u>	<u>H.F.</u>	2468	Windschitl of Harrison
<u>H-8304</u>	<u>H.F.</u>	2064	Rizer of Linn
<u>H-8305</u>	<u>H.F.</u>	2468	Windschitl of Harrison
<u>H-8306</u>	<u>H.F.</u>	2421	Senate Amendment

On motion by Speaker Upmeyer, the House adjourned at 5:45 p.m., until 10:00 a.m., Thursday, April 28, 2016.